

# OPEN MEETING ITEM

**COMMISSIONERS**  
DOUG LITTLE - Chairman  
BOB STUMP  
BOB BURNS  
TOM FORESE  
ANDY TOBIN



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Executive Director

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AZ CORP COMMISSION  
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## ARIZONA CORPORATION COMMISSION

DATE: APRIL 18, 2016  
DOCKET NOS.: T-04255A-16-0059

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Brian Schneider. The recommendation has been filed in the form of an Order on:

R. SCOTT DE LONG dba DE LONG INDUSTRIES GROUP, INC  
(CANCEL CC&N TO PROVIDE CUSTOMER OWNED PAY TELEPHONE)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

APRIL 27, 2016

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

MAY 3, 2016 AND MAY 4, 2016

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

APR 18 2016

DOCKETED BY

JODI A. JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347

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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 DOUG LITTLE – Chairman  
4 BOB STUMP  
5 BOB BURNS  
6 TOM FORESE  
7 ANDY TOBIN

8 IN THE MATTER OF THE APPLICATION OF R.  
9 SCOTT DE LONG dba DE LONG INDUSTRIES  
10 GROUP TO DISCONTINUE THE PROVISION OF  
11 CUSTOMER OWNED PAY TELEPHONE  
12 SERVICES IN ARIZONA.

DOCKET NO. T-04255A-16-0059

DECISION NO. \_\_\_\_\_

**ORDER**

13 Open Meeting  
14 May 3 and 4, 2016  
15 Phoenix, Arizona

16 **BY THE COMMISSION:**

17 Having considered the entire record herein and being fully advised in the premises, the Arizona  
18 Corporation Commission (“Commission”) finds, concludes, and orders that:

19 \* \* \* \* \*

20 **FINDINGS OF FACT**

21 1. On September 7, 2004, the Commission issued Decision No. 67237, approving R. Scott  
22 De Long dba De Long Industries Group’s (“De Long” or “Company”) application for a Certificate of  
23 Convenience and Necessity (“CC&N”) to provide customer owned pay telephone (“COPT”) services  
24 within the State of Arizona.

25 2. On February 22, 2016, De Long filed an application with the Commission requesting to  
26 cancel its CC&N to provide COPT telecommunications services within the State of Arizona. The  
27 application indicated that De Long no longer provides, or never did provide, COPT services in the State  
28 of Arizona. The application further indicated that Mr. R. Scott De Long is authorized to file the  
application on behalf of the Company and that he waives his right to notice and a hearing in order to  
cancel the CC&N.

3. On April 1, 2016, the Commission’s Utilities Division (“Staff”) filed a Staff Report in  
this matter, recommending approval of De Long’s application.

1           4.     Staff states that the Commission's Consumer Services Section reported that no  
2 complaints had been filed against the Company from January 1, 2013, to March 4, 2016. Further, Staff  
3 states that the most recent Annual Report filed by De Long was its 2013 Annual Report filed in  
4 February, 2014. Finally, Staff states that the Commission's Compliance Section indicated that De  
5 Long is in compliance.

6           5.     Staff recommends approval of De Long's application to cancel its CC&N and states that  
7 upon cancellation, the Company will no longer be subject to the filing requirements set forth in  
8 Decision No. 67237.

9           6.     Staff's recommendation to approve De Long's application for cancellation of its CC&N  
10 to provide COPT telecommunications services within the State of Arizona is reasonable and should be  
11 adopted.

#### 12                                   CONCLUSIONS OF LAW

13           1.     R. Scott De Long dba De Long Industries Group is a public service corporation within  
14 the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281, 40-282 and 40-285.

15           2.     The Commission has jurisdiction over R. Scott De Long dba De Long Industries Group  
16 and the subject matter of the application.

17           3.     The cancellation of R. Scott De Long dba De Long Industries Group's CC&N to provide  
18 COPT services in Arizona is in the public interest.

19           4.     R. Scott De Long dba De Long Industries Group waives its right to notice and a hearing  
20 in this matter.

21           5.     Staff's recommendations are reasonable and should be adopted.

22 ...

23 ...

24 ...

25 ...

26 ...

27 ...

28 ...

**ORDER**

IT IS THEREFORE ORDERED that of R. Scott De Long dba De Long Industries Group's Certificate of Convenience and Necessity granted in Decision No. 67237 (September 7, 2004) to provide customer owned pay telephone services in Arizona is hereby canceled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

BS:dp

SERVICE LIST FOR:

R. SCOTT DE LONG DBA DE LONG INDUSTRIES  
GROUP

DOCKET NO.:

T-04255A-16-0059

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